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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL DICKENS,

Defendant.

CASE NO. 1:20-CR-00219 JLT SKO

STIPULATION BETWEEN THE UNITED STATES
AND DEFENDANT REGARDING PRODUCTION
OF SUPPLEMENTAL DISCOVERY;
PROTECTIVE ORDER RE:
SAME

WHEREAS, this Court may enter protective orders pursuant to Fed. R. Crim. P. 16(d) and its general supervisory authority.

WHEREAS, certain supplemental discovery in this case, including tactical reports related to Dicken's arrest and undercover accounts still actively used by Homeland Security Investigations (HSI) (the "discovery") contains sensitive law enforcement information.

WHEREAS, the parties desire to avoid the unauthorized dissemination or distribution to anyone not a party to the court proceedings in this matter, and the risk of harm (financial and/or physical) to the individual identified in those materials, including by dissemination of the discovery by defendant;

The parties agree that entry of a stipulated protective order is appropriate.

THEREFORE, the below-listed defendant, by and through their undersigned counsel of record ("Defense Counsel"), and the United States of America, by and through Assistant United States Attorney Arin C. Heinz, hereby agree and stipulate as follows:

1 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of
2 Criminal Procedure, and its general supervisory authority.

3 2. This Order pertains to all discovery marked with a bates stamp “protected” provided to or
4 made available to Defense Counsel in this case.

5 3. The discovery is for the exclusive use of defense counsel who are either assigned to or
6 consulting on this case, any investigators, interpreters, experts, paralegals, legal assistants, or law clerks
7 assisting counsel in this case (“the Defense”). The parties agree that the Defense may review the
8 discovery with the defendant or other necessary third parties only in the presence of a member of the
9 Defense and **may NOT provide a copy of the discovery to or leave a copy of the discovery with the**
10 **defendant or other necessary third party. The defendant or other necessary third party may NOT**
11 **retain copies of the discovery in any form, including but not limited to notes or photographs**
12 **concerning the contents of the discovery.**

13 4. The discovery and information therein may be used only in connection with the litigation
14 of this case and for no other purpose. The discovery is now and will forever remain the property of the
15 United States of America (“Government”). Defense Counsel will return the discovery to the
16 Government or alternatively keep it archived within its sole possession at the conclusion of the case.

17 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
18 ensure that it is not disclosed to third persons (or even the defendant) in violation of this agreement.

19 6. Defense Counsel shall be responsible for advising the Defendant, employees, and other
20 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

21 7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to
22 return the discovery to the government, or, at the request of government counsel, to forward it to new

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counsel after new counsel has confirmed to government counsel in writing his or her agreement to the terms of this Order.

IT IS SO STIPULATED.

Dated: February 6, 2025

MICHELE BECKWITH
Acting United States Attorney

By: /s/ ARIN C. HEINZ
ARIN C. HEINZ
BRITTANY M. GUNTER
Assistant United States Attorneys

Dated: February 6, 2025

/s/ MARK A. BROUGHTON
MARK A. BROUGHTON
Attorney for Defendant
Michael Dickens

ORDER

For good cause shown, the stipulation between counsel dated February 6, 2025, regarding the treatment of protected supplemental discovery with law enforcement sensitive information is approved.

IT IS SO ORDERED.

Dated: February 7, 2025

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE